

CITY OF ANGELS  
PLANNING COMMISSION  
SUMMARY MINUTES

**Regular Meeting of Thursday May 10, 2012**  
**City Fire House 1404 Vallecito Road**  
**Angels Camp, California**

**CALL TO ORDER**

The meeting was called to order by Chairman Gary Croletto at 6:05 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Commissioners Present: Chairman Croletto, Vice-Chair Griffin, Commissioner Rowe,  
Commissioner Reesman and Commissioner Broeder

Commissioners Absent:

Staff Present: Planning & Building Director David Hanham and Deputy City  
Clerk Jennifer Preston

Tape recorder failed so staff was unable to record meeting.

**APPROVAL OF MINUTES**

**1. Approval of the April 12, 2012 regular meeting minutes.**

Page 1, add "Staff Absent: Planning & Building Director David Hanham.

Page 2, under public comments, 1<sup>st</sup> sentence, delete "he wanted to say that".

Page 3, under public hearing closed, change the 2<sup>nd</sup> sentence to "The Commission came to a consensus to continue this item to a special meeting to be held on Tuesday, April 17, 2012 at 1:00 p.m. at the Community Development Department. This will allow time to correct errors and get clarification from the Planning Director, Fire Marshall and the Police Chief.

Page 4, item 6, 2<sup>nd</sup>, paragraph, 3<sup>rd</sup> sentence, change "corness" to "cornice".

Page 4, item 6, 3<sup>rd</sup> paragraph, add "owner requested revision" between "the" and "changes" and then after "changes" add "dated 3/21/12".

Page 4, item 7, add at the end "because the City Council approved 2 workshops per year, one in January and one in July, at the 3/20/12 workshop".

**MOTION BY COMMISSIONER BROEDER AND DULY SECONDED BY COMMISSIONER ROWE AND CARRIED 4-0-1 WITH COMMISSIONER GRIFFIN ABSTAINING APPROVING THE APRIL 12, 2012 MINUTES AS AMENDED.**

**2. Approval of the April 17, 2012 special meeting minutes.**

Page 1, under staff present, add "City Administrator Michael McHatten.

Page 1, item 1, in title, after "Permit for" add "Hardshell Tactical Finishes".

Page 1, item 1, 4<sup>th</sup> paragraph, add at the end of paragraph, "selected by owner".

Page 2, item 1, 5<sup>th</sup> paragraph, 2<sup>nd</sup> line, change "sell" to "sale".

Page 2, item 1, 5<sup>th</sup> paragraph, 4<sup>th</sup> line down, after “adjacent” add “and property to properties”.

**MOTION BY COMMISSIONER GRIFFIN AND DULY SECONDED BY COMMISSIONER BROEDER AND CARRIED 4-0-1 WITH COMMISSIONER ROWE ABSTAINING APPROVING THE APRIL 17, 2012 SPECIAL MEETING MINUTES AS AMENDED.**

**VERIFICATION OF RESOLUTIONS**

**3. Resolution 2012-05 a Resolution for a Conditional Use Permit for Project 2012-2, Hardshell Tactical Finishes located at 520 N. Main Street, Suite 109 APN 058-010-044.**

Under 1<sup>st</sup> whereas, change “sell” to “sale” and add “;” after “accessories”.

Under now therefore be it resolved, under A, change “All” to “all”.

Under now therefore be it resolved, under A, item 3, change “property” to “properties”.

Under now therefore be it resolved, under A, item 5, after “title” add “17, zoning ordinance”.

Add attachment 1, Fire Marshall’s Conditions of Approval letter.

**PUBLIC COMMENTS**

**OPENED AT 6:20 P.M.**

**CLOSED AT 6:21 P.M.**

**COMMUNICATIONS AND PETITIONS**

None

**PUBLIC HEARINGS**

**4. Continuation of the Variance for a roof sign for Sidewinders Restaurant at 1252 S. Main Street APN 060-012-006**

Planning Director Hanham presented the staff report and resolution 2012-06 for Project 2012-05 approving a variance for Sidewinders Restaurant.

The Chair asked the commission if they had any ex parte regarding the hearing?

All commissioners answered no.

**PUBLIC HEARING OPENED 6:35 P.M.**

Dave Swarbrick – Owner of Sidewinders Restaurant

Mr. Swarbrick stated that the square footage is incorrect on the staff report. He stated that his building has special circumstances to require a variance, such as, stone dry stacked walls that are brittle, it is a historical building, people were unable to locate his restaurant, and signs from other buildings block his signs, and that he has also already taken down the hanging blade sign and the fascia sign to be in compliance with the 28 square feet of signage.

**PUBLIC HEARING CLOSED 6:37 P.M.**

Commissioner Broeder stated that he is confused because all of the inconsistencies in the staff report calling the overhang an awning, canopy or façade, they all need to say overhang. Overhang is not defined in the City's sign ordinance. Commissioner Broeder stated that how the sign is mounted doesn't really matter, what is important is the actual position of the sign, and Sidewinders sign is non-conforming because the sign is above the level of the roof.

Commissioner Griffin stated that she is also confused about the issues with the staff report, but she believes that the commission should give the opportunity to business owners to have the signage that they need.

Commissioner Rowe stated that the sign is becoming a landmark in the downtown area with how it shines an image of the snake onto the ground during the day. She believes that the commission should do everything it can to support businesses in the City and be business friendly.

Commissioner Reesman stated that this issue has gone on for too long and it needs to be resolved tonight. She appreciates that fact the Mr. Swarbrick has already taken down the fascia and blade sign so that he is conforming to the 28 square feet maximum signage for his building. The sign is the same height as the building façades next to him. She is in favor for the variance for the sign.

Chair Croletto read into the record his letter dated May 10<sup>th</sup> 2012 about the issues he has with allowing this variance. (see attachment 1)

Correction for Resolution 2012-06.

2<sup>nd</sup> whereas, change date to "10<sup>th</sup> day of May, 2012".

**MOTION BY COMMISSIONER ROWE AND DULY SECONDED BY COMMISSIONER REESMAN AND CARRIED 4-1 WITH CHAIR CROLETT VOTING NO TO APPROVE RESOLUTION 2012-06 A RESOLUTION APPROVING THE VARIANCE FOR A ROOF SIGN FOR SIDEWINDERS RESTAURANT AS AMENDED.**

#### **PLANNING COMMISSION MATTERS**

None

#### **COMMITTEE REPORTS**

##### **5. General Plan Implementation Committee – Commissioner Rowe**

Commissioner Rowe stated that the commission needs to spend some time next meeting going over the priority list and updating it. Commissioner Rowe and Jennifer Preston to update list before next meeting.

##### **6. DAC – Commissioner Rowe**

Commissioner Rowe stated that DAC stands for Destination Angels Camp. The committee is working on economic development, business retention, they have a public relations group, and they will have a booth at the county fair.

## COMMISSIONER'S REPORTS

### **7. Action List – Chairman Croletto**

Chair Croletto passed out Action List dated 5-10-2012. (see attachment 2)

## STAFF REPORTS

Planning Director Hanham stated that the City is finishing up the design for the sidewalk and he is meeting with Cal Trans next week. The DAC is working on action plans for the downtown area and north of highway 4 and 49. Started working on the Regional Transportation Plan and the co-op agreement for the south intersection of 4 and 49. Staff is working on the budget for next year and the rezones north of 4 and 49 will be going to the council on 5-15-12.

MEETING WAS ADJOURNED AT 8:20 p.m.



Gary Croletto, Chairman

ATTEST:

  
Jennifer Preston, Deputy City Clerk

# Attachment 1

In regards to City of Angels Planning Commission Agenda for May 10, 2012, Item 4 - Continuation of Public Hearing for Variance for a roof sign for Sidewinders Restaurant at 1252 S. Main Street APN 060-012-026:

**Staff Report - Background** — *The applicant submitted a variance application for a ~~new~~ existing sign. The purpose of the variance was (to) allow the applicant to ~~put~~ keep the existing unapproved, non conforming sign on the roof of the canopy on his building.*

**Zoning Ordinance Compliance** — *“The original permit allowed 15 square feet of signage.” “The restaurant will continue using the signs that were approved in 2010”. That was for one hanging sign 1.5 ft x 4 ft for 6 s.f. and one wall sign on building 1.5 ft. x 6 ft. for 9 s.f. for a total of 15 s.f. There was no “Wall Sign on Canopy” of 5 sq. ft. in the approval.*

The original requested roof sign was 6 ft. x 3'-2" = **19 s.f.** This does not agree with staff calculations of Roof Sign (put in both sections)??? of **15.4 sq. ft.**

**Sign Ordinance Compliance** — *The applicant is proposing to erect a roof sign with this application. The roof sign has been in place since January 2012. Sidewinders already have (has) two wall signs. Sidewinders has one approved wall sign of 9 s. f.*

Correction to the first sentence, second paragraph: The sign is located on the roof of the **overhang** (not the façade) of the restaurant.

**Variance Request** — *“Any variance granted shall be subject to such conditions as will assure that the adjustment **thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.**” My opinion differs from the staff’s in that several properties have similar if not the same conditions as the applicant’s building. Examples are Calaveras Customs, Odd Fellows, Mercantile, Pickle Barrel, Hobby store and any of the possible storefronts in the hotel building. They all have roof overhangs. Both the Pickle Barrel and the Music Store next to the applicant's business solved the problem by mounting a “fascia sign” on the fascia of the overhang beam facing the street. If the applicant kept the **9 s.f.** wall sign and removed the existing hanging sign and fascia sign it would allow for a new **19 s.f.** fascia sign. **This would meet the total allowed square footage of 28 s. f.***

Again, in my opinion, allowing this variance would set a precedence and in fairness to the other businesses with similar conditions, they would also be allowed to apply for a variance to Municipal Code disallowing new roof signs. Having an assortment of roof mounted signs of different materials, sizes and colors would not be considered an enhancement of the Historical District nor reflect good planning and design to invite potential businesses to our City.

Gary Croletto  
Planning Commission Chair  
10 May 2012

# Attachment 2

**City of Angels Planning Commission Action List**  
**5/10/2012**

[illegible]